



County of Los Angeles CHIEF ADMINISTRATIVE OFFICE

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DAVID E. JANSSEN
Chief Administrative Officer

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December 29, 2003

To: Supervisor Don Knabe, Chairman
Supervisor Gloria Molina
Supervisor Yvonne Brathwaite Burke
Supervisor Zev Yaroslavsky
Supervisor Michael D. Antonovich

From: David E. Janssen
Chief Administrative Officer

AB 846 – LEGISLATION AFFECTING SMOKING AT COUNTY BUILDINGS

The State Legislature recently enacted AB 846 (Vargas) which affects public buildings and goes into effect on January 1, 2004. This new law prohibits smoking within 20 feet of main entrances, exits, and operable windows of any building owned, leased, and occupied by the State, a county or city, University of California, California State University and community colleges. The previous law (Government Code Section 19994.30) prohibited smoking within five feet of the doorways of buildings owned by State agencies only.

While the legislation makes it "illegal" to smoke within 20 feet of a doorway, the law does not define what the penalty is for breaking this law. As a result, County Counsel has advised that the law will be very difficult to enforce. Apparently, the Legislature believes that the law will be self-enforcing once its existence is known.

The State Department of Health Services has indicated that prototypes of a sign to attach to a building and a sticker to attach to a window are available for use by affected government agencies. The Internal Services Department has attempted to obtain these prototypes but as of yet has been unable to do so. When the prototype signs and stickers are available, they will be evaluated and appropriate actions taken to notify visitors and employees of this new law.

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The legislation has been highlighted in the December, 2003, edition of the County Digest.

We will keep you informed of actions taken in regards to this legislation.

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c: County Counsel
Internal Services Department